

Appl. No. 10/620,324  
Response Dated 3/17/2005

### REMARKS/ARGUMENTS

#### Status of the Claims

Claims 1-7, 9-12, 14-16, 18-44, and 46-55 are pending with entry of these amendments with claims 1, 9, 17, 18, 20, 29, 36, 42, 46, 49, and 54 being amended herein and claims 9, 13, 17, and 45 being canceled herein. These clarifying amendments introduce no new matter and support is replete throughout the application as originally filed. For example, representative support for at least one arm of a grasping mechanism comprising a stop is provided in canceled claim 9, while exemplary support for a stop pushing an object against a push surface is found in claim 29. Representative support for arms having pivot members is found at, for example, paragraph 0009 of the specification. These amendments are made without prejudice and are not to be construed as abandonment of the previously claimed subject matter or agreement with any objection or rejection of record. Applicants respectfully request that all of these amendments be entered.

#### 35 U.S.C. § 102(b)

The action rejects claims 1-3, 6-9, 11-13, 22-28, 36-42, 47, and 48 under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Pat. No. 5,697,480 to Herbermann (hereinafter, Herbermann). This set of rejected claims includes two independent claims, namely, claims 1 and 36. Amended claim 1 recites a grasping mechanism having movably coupled arms that can move towards and away from each other along a first axis. As amended, claim 1 also provides that at least one of the arms comprises a stop and a pivot member having a support surface to support the object and a height adjusting surface that pushes the object into contact with the support surface when the arms grasp the object. In addition, the arms are attached to a body that includes a resilient coupling that allows arms to move substantially perpendicular to the first axis when the stop pushes the object against a push surface. Amended claim 36 relates to a gripper apparatus that includes a grasping mechanism that is resiliently coupled to a boom of a robot by a resilient coupling. As amended, claim 36 also provides that at least one of the arms comprises a stop and that the resilient coupling allows the arms to reversibly recede from an initial position when the stop pushes the object against a push surface. The gripper apparatus of claim 36 also includes a pivot member having a support surface to support the object and a height adjusting surface that pushes the object into contact with the support surface when the arms grasp the object.

Herbermann fails to teach grasping mechanisms comprising stops and pivot members as claimed in amended independent claims 1 and 36. In fact, this cited art, which relates to a breakaway mount, lacks essentially any teaching regarding grasping mechanisms. Instead, Herbermann simply refers to a component that "might be a tool for performing work such as drilling, welding, etc. on a workpiece, or could be a holding tool for holding and moving a workpiece" (Herbermann at Col. 3, lines 24-26) without clearly delineating any structural aspects of the tool. Accordingly, Applicants respectfully submit that this art provides no teaching regarding the particular structures, or functions thereof, of tool 24 depicted in Figure 1 of Herbermann as marked up in the Action. Moreover, even assuming

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*arguendo* that the portion of tool 24 labeled in the Action as a "stop" were such an element, which the Applicants do not concede, it clearly could not push an object against a push surface as claimed in independent claims 1 and 36. Therefore, Herbermann fails to anticipate the grasping mechanisms recited in these claims and as a consequence, also cannot anticipate any claims that depend from either of these claims. Accordingly, Applicants respectfully request that all of these rejections be withdrawn.

**35 U.S.C. § 103(a)**

The Action rejects claims under 35 U.S.C. § 103(a), specifically, claims 4 and 10 over Herbermann, claims 1-4 and 6-13 over U.S. Pat. No. 3,824,674 to Inoyama et al. (hereinafter, Inoyama), and claim 5 over Herbermann in view of U.S. Pat. No. 6,012,895 to Smith et al (hereinafter, Smith). Applicants respectfully traverse each of these rejections as noted below.

**Claims 4 and 10 are not obvious over Herbermann**

Claims 4 and 10 depend from claim 1. For the reasons stated above, Herbermann does not teach all of the elements of independent claim 1, namely, it does not teach a grasping mechanism in which at least one arm includes a stop capable of pushing an object against a push surface such that the arms move. Moreover, Herbermann also does not teach arms that include pivot members as claimed. Thus, the Action fails to establish a case of *prima facie* obviousness with respect to independent claim 1. Accordingly, as claims 4 and 10 depend from claim 1, these claims cannot be obvious over the cited art. Applicants respectfully request that both of these rejections be withdrawn.

**Claims 1-4 and 6-13 are not obvious over Inoyama et al.**

Inoyama does not teach all of the elements of independent claim 1 as amended. In particular, the portion of arm 3b shown in Figure 8B of Inoyama, which the Action alleges is a stop (*see*, marked up copy of Figure 8B from Inoyama that is included in the Action), cannot push an object against a push surface such that the arms move in a direction that is substantially perpendicular to the axis along which the arms move towards or away from one another. In addition, Inoyama also does not teach arms that comprise pivot members as recited in claim 1 of the subject application. Thus, the Action fails to establish a case of *prima facie* obviousness with regard to claim 1 of the subject application or any claim that depends from claim 1. Accordingly, as claims 1-4 and 6-13 are non-obvious, Applicants respectfully request that all of these rejections be withdrawn.

**Claim 5 is not obvious over Herbermann in view of Smith**

As described above, Herbermann does not teach all of the elements of independent claim 1, from which claim 5 depends. In addition, Smith, whether viewed individually or in combination with Herbermann, also does not teach grasping mechanisms including stops that push objects against push surfaces or pivot members, as claimed. As a consequence, claim 1 and any dependent claims are non-obvious over Smith. Since dependent claim 5 is non-obvious over this cited art, Applicants respectfully request that this rejection be withdrawn.

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**CONCLUSION**

As described above, the claims of the subject application are neither anticipated nor obvious. Applicants therefore respectfully request that all objections and rejections be withdrawn.

In view of the foregoing, Applicants believe all claims now pending in this application are in a condition for allowance. Applicants note that claims 53-55 have already been allowed. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would further expedite prosecution of this application, please telephone the undersigned at (510) 769-3520.

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Respectfully submitted,



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Attachments:

- 1) A facsimile transmission sheet
- 2) Petition for Extension of Time
- 3) Fee Transmittal; and
- 4) A transmittal sheet.